

VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

OCTOBER 3, 2007

The Fair Housing Board Meeting was held at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia. The following Board members were present:

David B. Rubinstein, Chairman
Neil Bhatt (arrived at 10:10)
Cynthia Clare
Laura Dupuy (arrived at 10:55)
Penny Johnson
Martin Maples
Stephen McMaster
Robert Ruais
James Schuyler
Jeffrey Adkins (arrived at 10:08)

The following Board Member was not present: Tonye Epps

DPOR Staff present for all or part of the meeting included:

Jay DeBoer, Director
Karen O'Neal, Deputy Director
Liz Hayes, Fair Housing Administrator
Christine Martine, Executive Director
Emily Trent, Administrative Assistant
Deanda Shelton, Assistant Fair Housing Administrator
Trudy Miller, Fair Housing Investigator
Angela Keefe-Thomas, Fair Housing Investigator
Karen Taylor, Fair Housing Specialist
Iris Street, Program Conciliator
Yvette Barnes, Fair Housing Investigator
Arthur Ryan, Fair Housing Investigator

Tom Payne, Assistant Attorney General with the Office of the Attorney General, was present.

Chairman Rubinstein called the meeting to order at 10:05 AM. **Call to Order**

A motion was made by Ms. Clare and seconded by Mr. **Agenda**

Schuyler to approve the Agenda. The motion passed unanimously. Members voting "Yes" were Clare, Johnson, McMaster, Maples, Ruais, Rubinstein and Schuyler.

A motion was made by Ms. Clare and seconded by Mr. Schuyler to approve the following minutes: August 8, 2007, Fair Housing Board Meeting. The motion passed unanimously. Members voting "Yes" were Clare, Johnson, McMaster, Maples, Ruais, Rubinstein and Schuyler.

Minutes

No one addressed the Board during the **Public Comment period.**

Public Comment

Liz Hayes updated the Board on current cases.

**Fair Housing
Administrator's
Report**

Board member Jeffrey Adkins arrived at 10:08AM

**Arrival of Board
Member**

Board member Neil Bhatt arrived at 10:10AM

**Arrival of Board
Member**

In the matter of **FHB File Number 2007-02730, Anthony and Alicia Arden v. Vint-Hill Homeowners Associates, Inc. Board of Directors**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Molly Peacock, Attorney for the respondent, addressed the Board. A motion was made by Ms. Clare and seconded by Ms. Johnson to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting yes were: Adkins, Bhatt, Clare, Johnson, McMaster, Maples, Ruais, Rubinstein and Schuyler.

**FHB File Number –
2007-02730, Anthony
and Alicia Arden v.
Vint-Hill
Homeowners
Associates, Inc. Board
of Directors**

In the matter of **FHB File Number 2007-02879, Katrina Jones v. Martin Blaney and Hopewell Redevelopment and Housing Authority**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation and Official Consultation Memorandum from the Office of the Attorney General.

**FHB File Number
2007-02879, Katrina
Jones v. Martin
Blaney and Hopewell
Redevelopment and
Housing Authority**

At 10:18 Mr. Maples offered a motion which was seconded by Ms. Clare, that the Board meeting be recessed and that the Fair Housing Board immediately reconvene in closed meeting for the purpose of consultation with legal counsel and briefings by

Closed Session

staff members pertaining to actual or probable litigation as permitted by §2.2-3711.A.7 of the Code of Virginia. The following non-members will be in attendance to reasonably aid the consideration of the topic: Tom Payne, Liz Hayes and Angela Keefe- Thomas.

This motion is made with respect to the matter(s) identified as agenda item(s):

11. FHB File Number 2007-02879, Katrina Jones v. Martin Blaney and Hopewell Redevelopment and Housing Authority

At 10:55 PM., a motion was made by Ms. Johnson and seconded by Mr. Schuyler that the Board reconvene in open session.

WHEREAS, the Fair Housing Board has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

Certification

WHEREAS, §2.2-3712 of the Code of Virginia requires a certification by this Fair Housing Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Fair Housing Board hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Fair Housing Board.

VOTE: 9-0

AYES: Adkins, Bhatt, Clare, Johnson, McMaster, Maples, Ruais, Rubinstein and Schuyler.

NAYS: None

ABSENT DURING THE VOTE: Dupuy

ABSENT DURING THE MEETING: Epps

Board member Laura Dupuy arrived at 10:55AM

**Arrival of Board
Member**

At 10:56 Mr. McMaster offered a motion which was seconded by Mr. Schuyler, that the Board meeting be recessed and that the Fair Housing Board immediately reconvene in closed meeting for the purpose of consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation as permitted by §2.2-3711.A.7 of the Code of Virginia. The following non-members will be in attendance to reasonably aid the consideration of the topic. Members present to aid with this process were: Tom Payne, Liz Hayes and Angela Keefe- Thomas.

Closed Session

This motion is made with respect to the matter(s) identified as agenda item(s):

**11. Katrina Jones v. Martin Blaney and Hopewell
Redevelopment and Housing Authority**

At 11:37 AM., a motion was made by Ms. Johnson and seconded by Mr. Schuyler that the Board reconvene in open session.

WHEREAS, the Fair Housing Board has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

Certification

WHEREAS, §2.2-3712 of the Code of Virginia requires a certification by this Fair Housing Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Fair Housing Board hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Fair Housing Board.

VOTE: 10-0

AYES: Adkins, Bhatt, Clare, Dupuy, Johnson, McMaster, Maples, Ruais, Rubinstein and Schuyler.

NAYS: None

ABSENT DURING THE VOTE: None

ABSENT DURING THE MEETING: Epps

In the matter of **FHB File Number 2007-02879, Katrina Jones v. Martin Blaney and Hopewell Redevelopment and Housing Authority**. A motion was made by Mr. Ruais and seconded by Ms. Clare to close the case with a finding of no reasonable cause. The motion did not pass. Members voting "Yes" were Bhatt, Clare, McMaster, Ruais, and Rubinstein. Members voting "No" were Adkins, Dupuy, Johnson, Maples, and Schuyler.

**FHB File Number
2007-02879, Katrina
Jones v. Martin
Blaney and Hopewell
Redevelopment and
Housing Authority**

A motion was made by Mr. Maples and seconded by Ms. Dupuy to find reasonable cause. The motion did not pass. Members voting "Yes" were Adkins, Dupuy, Johnson, Maples, and Schuyler. Members voting "No" were Bhatt, Clare, McMaster, Ruais, and Rubinstein.

A motion was made by Ms. Johnson and seconded by Ms. Clare to defer the case until the next meeting in order to obtain more information and attempt conciliation. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Johnson, McMaster, Maples, Ruais, Rubinstein and Schuyler.

A motion was made by Ms. Johnson and seconded by Ms. Clare to find no reasonable cause on the allegation of discriminatory terms and conditions based of race discrimination. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Johnson, McMaster, Maples, Ruais, Rubinstein and Schuyler.

The Board recessed from 11:45AM to 11:55AM

Break

In the matter of **FHB File Number 2005-03392, Raymond and Mary Betts v. Richmond Redevelopment and Housing Authority**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis and Recommendation and Official Consultation Memorandum from

**FHB File Number
2005-03392, Raymond
and Mary Betts v.
Richmond
Redevelopment and**

the Office of the Attorney General. Mr. Jeff Shapiro, Attorney for the respondent was present and addressed the Board. A motion was made by Mr. Ruais and seconded by Ms. Clare to find reasonable cause that the respondent discriminated by refusing to make a reasonable accommodation. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Dupuy, McMaster, Maples, Ruais, Rubinstein and Schuyler. Due to a possible conflict of interest, Ms. Johnson recused herself from voting in this matter.

Housing Authority

A motion was made by Mr. Ruais and seconded by Ms. Clare to find no reasonable cause to believe the respondent engaged in discriminatory terms and conditions based on handicap. The motion passed by majority vote. Members voting "Yes" were Adkins, Bhatt, Clare, Dupuy, McMaster, Maples, Ruais, and Rubinstein. Members voting "No" were Schuyler. Due to a possible conflict of interest, Ms. Johnson recused herself from voting in this matter.

In the matter of **FHB File Number 2007-02765, Shuntra and Raymond Muse v. PAMI Willow River LLC and Shervone Deans**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. James Kepley, Jr., Attorney for the respondents was present and addressed the Board. A motion was made by Ms. Clare and seconded by Ms. Johnson to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Dupuy, Johnson, McMaster, Maples, Ruais, Rubinstein and Schuyler.

**FHB File Number
2007-02765, Shuntra
and Raymond Muse v.
PAMI Willow River
LLC and Shervone
Deans**

In the matter of **FHB File Number 2007-03159, Stanford and Gladys Beckett v. Pam Gordon, Dewanda Ballay and Litton Loan Servicing, LP**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Mr. Ruais and seconded by Mr. Bhatt to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Dupuy, Johnson, McMaster, Maples, Ruais, Rubinstein and Schuyler.

**FHB File Number
2007-03159, Stanford
and Gladys Beckett v.
Pam Gordon,
Dewanda Ballay and
Litton Loan
Servicing, LP**

In the matter of **FHB File Number 2007-04251, Dexter and Jewell Jones v. HBJ Properties**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by

**FHB File Number
2007-04251, Dexter
and Jewell Jones v.
HBJ Properties**

Mr. Ruais and seconded by Mr. Bhatt to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Dupuy, Johnson, McMaster, Maples, Ruais, Rubinstein and Schuyler.

In the matter of **FHB File Number 2007-04927, Tracy and Doris Causey v. Ernest Evans and Peggy Adams**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Mr. Ruais and seconded by Mr. Bhatt to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Dupuy, Johnson, McMaster, Maples, Ruais, Rubinstein and Schuyler.

**FHB File Number
2007-04927, Tracy
and Doris Causey v.
Ernest Evans and
Peggy Adams**

In the matter of **FHB File Number 2007-04255, Thomasine Imes v. First Centrum LLC, Michelle Custer and Centrum Prince William II Limited Partnership**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Mr. Ruais and seconded by Ms. Clare to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Dupuy, Johnson, McMaster, Maples, Ruais, Rubinstein and Schuyler.

**FHB File Number
2007-04255,
Thomasine Imes v.
First Centrum LLC,
Michelle Custer and
Centrum Prince
William II Limited
Partnership**

In the matter of **FHB File Number 2007-02968, Christopher and Amanda Payton v. Cathy (LNU) and Bernice McDonald**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Mr. Ruais and seconded by Ms. Clare to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Dupuy, Johnson, McMaster, Maples, Ruais, Rubinstein and Schuyler.

**FHB File Number
2007-02968,
Christopher and
Amanda Payton v.
Cathy (LNU) and
Bernice McDonald**

In the matter of **FHB File Number 2008-00019, Pauline Terrell v. A. Melvin Miller, Marye Ish, and Alexandria Redevelopment and Housing Authority**. A motion was made by Mr. Schuyler and seconded by Mr. Ruais to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Dupuy, Johnson, McMaster, Maples, Ruais, Rubinstein and Schuyler.

**FHB File Number
2008-00019, Pauline
Terrell v. A. Melvin
Miller, Marye Ish and
Alexandria
Redevelopment and
Housing Authority**

In the matter of **FHB File Number 2007-05008, Sharon Sartor v. Gerald Spear, Drakes Branch Elderly Apartments, Lee Toler, DTH Management Group, and Drakes Branch Elderly Limited Partnership.** A motion was made by Mr. Schuyler and seconded by Mr. Ruais to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Dupuy, Johnson, McMaster, Maples, Ruais, Rubinstein and Schuyler.

**FHB File Number
2007-05008, Sharon
Sartor v. Gerald
Spear, Drakes Branch
Elderly Apartments,
Lee Toler, DTH
Management Group,
and Drakes Branch
Elderly Limited
Partnership**

In the matter of **FHB File Number 2007-04253, Mark and Charmaine Davis v. Margaret Whitaker.** A motion was made by Mr. Schuyler and seconded by Mr. Ruais to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Dupuy, Johnson, McMaster, Maples, Ruais, Rubinstein and Schuyler.

**FHB File Number
2007-04253, Mark
and Charmaine Davis
v. Margaret Whitaker**

In the matter of **FHB File Number 2008-00200, Peter L. Goldstein v. Claridge House Associates.** A motion was made by Mr. Schuyler and seconded by Mr. Ruais to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Dupuy, Johnson, McMaster, Maples, Ruais, Rubinstein and Schuyler.

**FHB File Number
2008-00200, Peter L.
Goldstein v. Claridge
House Associates**

In the matter of **FHB File Number 2007-02592, Gloria Frye v. Roy Lineberry.** A motion was made by Mr. Schuyler and seconded by Mr. Ruais to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Dupuy, Johnson, McMaster, Maples, Ruais, Rubinstein and Schuyler.

**FHB File Number
2007-02592, Gloria
Frve v. Roy Lineberry**

In the matter of **FHB File Number 2007-03279, Kenneth Johnson v. Mary T. Black and Mary T. Black, Trustee, Mary T. Black Living Trust.** A motion was made by Mr. Schuyler and seconded by Mr. Ruais to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Dupuy, Johnson, McMaster, Maples, Ruais, Rubinstein and Schuyler.

**FHB File Number
2007-03279, Kenneth
Johnson v. Mary T.
Black and Mary T.
Black, Trustee, Mary
T. Black Living Trust**

In the matter of **FHB File Number 2008-00485, Stephan Earl v. KVB Realty Co., Drucker and Falk, LLC, Vicky Dierks and Tara Southall.** A motion was made by Mr. Schuyler and seconded by Mr. Ruais to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Dupuy, Johnson, McMaster, Maples, Ruais, Rubinstein and Schuyler.

**FHB File Number
2008-00485, Stephan
Earl v. KVB Realty
Co., Drucker and
Falk, LLC, Vicky
Dierks and Tara
Southall**

In the matter of **FHB File Number 2008-00261, Andrea Atkinson v. Jim Radford & Oak Forest MHC, LLC.** A motion was made by Mr. Schuyler and seconded by Mr. Ruais to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Dupuy, Johnson, McMaster, Maples, Ruais, Rubinstein and Schuyler.

**FHB File Number
2008-00261, Andrea
Atkinson v. Jim
Radford & Oak
Forest MHC, LLC**

In the matter of **FHB File Number 2008-00307, Richard Richmond v. Community Alternative Management Group, Inc.** A motion was made by Mr. Schuyler and seconded by Mr. Ruais to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Dupuy, Johnson, McMaster, Maples, Ruais, Rubinstein and Schuyler.

**FHB File Number
2008-00307, Richard
Richmond v.
Community
Alternative
Management Group,
Inc.**

In the matter of **FHB File Number 2007-04705, Nafisah Salaam and Muhammad Rauf v. Joseph Randolph.** A motion was made by Mr. Schuyler and seconded by Mr. Ruais to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were Adkins, Bhatt, Clare, Dupuy, Johnson, McMaster, Maples, Ruais, Rubinstein and Schuyler.

**FHB File Number
2007-04705, Nafisah
Salaam and
Muhammad Rauf v.
Joseph Randolph**

Kevin Hoeft, Education Administrator reported the following to the Board.

Education Report

1. One Fair Housing Course Application from an approved proprietary school was approved unanimously:
 - a. 57200 – Fair Housing – Reasonable Modifications & Accommodations for Persons with Disabilities, 2 hours, Housing Opportunities Made Equal of Virginia, Inc.

A motion was made by Mr. Schuyler and seconded by Ms.

Johnson to adopt the report. The motion passed unanimously. Member voting "Yes" were: Adkins, Bhatt, Clare, Dupuy, Johnson, McMaster, Maples, Ruais, Rubinstein and Schuyler.

A motion was made by Mr. Schuyler and seconded by Ms. Clare to adopt the following resolution to honor the years of dedicated service by former Board Member Rhonda M. Harmon to the Board: **Resolution**

RESOLUTION IN HONOR OF

Rhonda M. Harmon

WHEREAS, Rhonda M. Harmon, has faithfully and diligently served as a member of the Fair Housing Board since 2003; and

WHEREAS, Rhonda M. Harmon, has devoted generously of her time, talent and leadership to the Board; and

WHEREAS, Rhonda M. Harmon, has endeavored at all times to render decisions with fairness, good judgment, and in the best interest of the Board; and

WHEREAS, the Fair Housing Board wishes to acknowledge its gratitude and deepest appreciation for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth.

NOW THEREFORE BE IT RESOLVED, by the Fair Housing Board this third day of October, 2007 that Rhonda M. Harmon be given all honors and respect due her for her outstanding service to the Commonwealth and its citizens and the Fair Housing Board; and

BE IT FURTHER RESOLVED, that this Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held.

The motion passed unanimously. Member voting "Yes" were Adkins, Bhatt, Clare, Dupuy, Johnson, McMaster, Maples, Ruais, Rubinstein and Schuyler.

The Board viewed the presentation from the Office of the Attorney General on the Conflict of Interest Act. **Conflict of Interest Training**

There being no further business, the meeting adjourned at 1:40 **Adjourn**
PM.

David B. Rubinstein, Chairman

Jay W. DeBoer, Secretary

DRAFT